

AMENDED IN ASSEMBLY JUNE 11, 2015

AMENDED IN SENATE APRIL 20, 2015

AMENDED IN SENATE APRIL 6, 2015

SENATE BILL

No. 416

Introduced by Senator Huff

February 25, 2015

An act to amend Sections 35186, 39820, 41422, 46392, 47634.4, 52240, 52242, 52920, and 52922 of, to repeal Sections 37611.5, 41301.5, 45023.1, 45023.4, 52241, 52243, 52921, and 60118 of, to repeal Article 9 (commencing with Section 1780) of Chapter 6 of Part 2 of Division 1 of Title 1 of, to repeal Article 10 (commencing with Section 1790) of Chapter 6 of Part 2 of Division 1 of Title 1 of, to repeal Article 17 (commencing with Section 1940) of Chapter 6 of Part 2 of Division 1 of Title 1 of, to repeal Article 4 (commencing with Section 8080) of Chapter 1 of Part 6 of Division 1 of Title 1 of, to repeal Chapter 5.1 (commencing with Section 8820) of Part 6 of Division 1 of Title 1 of, to repeal Chapter 9 (commencing with Section 8980) of Part 6 of Division 1 of Title 1 of, to repeal Part 10.7 (commencing with Section 17910) of Division 1 of Title 1 of, to repeal Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of Division 1 of Title 1 of, to repeal Article 10.4 (commencing with Section 35294.10) of Chapter 2 of Part 21 of Division 3 of Title 2 of, to repeal Article 4 (commencing with Section 37252) of Chapter 2 of Part 22 of Division 3 of Title 2 of, to repeal Chapter 12 (commencing with Section 43001.5) of Part 24 of Division 3 of Title 2 of, to repeal Article 7 (commencing with Section 44570) of Chapter 3 of Part 25 of Division 3 of Title 2 of, to repeal Chapter 3.25 (commencing with Section 44695) of Part 25 of Division 3 of Title 2 of, to repeal Chapter 3.34 (commencing with Section 44730) of Part 25 of Division 3 of Title 2 of, to repeal Chapter 3.8 (commencing

with Section 44740) of Part 25 of Division 3 of Title 2 of, to repeal Chapter 3.5 (commencing with Section 44760) of Part 25 of Division 3 of Title 2 of, to repeal Article 15 (commencing with Section 51870) of Chapter 5 of Part 28 of Division 4 of Title 2 of, to repeal Article 1 (commencing with Section 52130) of Chapter 7 of Part 28 of Division 4 of Title 2 of, to repeal Article 2 (commencing with Section 52340) of Chapter 9 of Part 28 of Division 4 of Title 2 of, to repeal Article 3 (commencing with Section 52350) of Chapter 9 of Part 28 of Division 4 of Title 2 of, to repeal Article 5 (commencing with Section 52381) of Chapter 9 of Part 28 of Division 4 of Title 2 of, to repeal Article 9 (commencing with Section 52485) of Chapter 9 of Part 28 of Division 4 of Title 2 of, to repeal Chapter 17 (commencing with Section 53080) of Part 28 of Division 4 of Title 2 of, to repeal Chapter 3 (commencing with Section 54300) of Part 29 of Division 4 of Title 2 of, and to repeal Chapter 3.1 (commencing with Section 58520) of Part 31 of Division 4 of Title 2 of, the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 416, as amended, Huff. Public schools: ~~repeal of funding programs:~~ *elementary and secondary education.*

Existing law establishes a system of public elementary and secondary education in this state, and authorizes local educational agencies throughout the state to provide instruction to pupils.

This bill would revise and recast various provisions relating to elementary and secondary education, including, among others, repealing specified funding programs, revising the uniform complaint process, removing specified prohibitions on which funding programs a charter school can apply to, and expanding the financial assistance a school district can provide to pupils taking advanced placement and International Baccalaureate Diploma Program examinations and tests.

~~(1) Existing law authorizes the county superintendent of schools, with the approval of the county board of education or the county superintendents of 2 or more counties, to jointly contract with the United States, the state, or any city, county, or city and county, or any combination thereof, for the joint operation and maintenance of programs in youth conservation and training or for assistance in the operation and maintenance of those programs.~~

~~This bill would repeal those provisions.~~

~~(2) Existing law establishes the Garrigus-Lagomarsino Act, which authorizes a county superintendent of schools, with the approval of the county board of education, to establish and operate a technical, agricultural, and natural resource conservation school or schools, for specified purposes.~~

~~This bill would repeal those provisions.~~

~~(3) Existing law authorizes an appropriate governing body, as specified, to propose or initiate the expansion of coursework in cosmetology.~~

~~This bill would repeal those provisions.~~

~~(4) Existing law establishes the Arts Work Visual and Performing Arts Education Program for the purposes of awarding grants to local educational agencies to develop their capacity to implement high-quality, instructional programs based on the state-adopted visual and performing arts content standards for pupils in kindergarten and grades 1 to 12, inclusive.~~

~~This bill would repeal those provisions.~~

~~(5) Existing law establishes the Katz Safe Schoolbus Clean Fuel Efficiency Demonstration Program, under which the State Energy Resources Conservation and Development Commission determines which local educational agencies are to receive replacement schoolbuses pursuant to the program.~~

~~This bill would repeal those provisions.~~

~~(6) Existing law establishes the School Safety and Violence Prevention Act, which provides funds to school districts serving pupils in any of grades 8 to 12, inclusive, for the purpose of promoting school safety and reducing schoolsite violence.~~

~~This bill would repeal those provisions.~~

~~(7) Existing law establishes the School Safety and Violence Prevention Strategy Program for the purpose of promoting school safety and violence prevention programs among children and youth in public schools.~~

~~This bill would repeal those provisions.~~

~~(8) Existing law requires the revenue limit per unit of adult average daily attendance for a school district to be reduced by the amount, if any, per unit of average daily attendance that was included in the establishment of the adult base revenue limit and that was for purposes of the State Teachers' Retirement System.~~

~~This bill would repeal those provisions.~~

~~(9) Existing law establishes the funding of the Education Technology Staff Development Program, a grant program designed to promote the development of teachers in that specific area.~~

~~This bill would repeal those provisions.~~

~~(10) Existing law requires a school district, as a precondition to receiving a technology grant administered by the State Department of Education, to have a current 3- to 5-year education technology plan, unless this requirement is waived by the State Board of Education.~~

~~This bill would repeal those provisions.~~

~~(11) Existing law establishes the Impacted Languages Act of 1984, which is intended to provide relief to school districts that are highly impacted by the enrollment of refugee pupils or pupils whose primary languages are sufficiently diverse and in low population concentrations, as specified.~~

~~This bill would repeal those provisions.~~

~~(12) Existing law creates various mathematics improvement programs for pupils in grades 1 to 12, inclusive, as specified.~~

~~This bill would repeal those provisions.~~

~~(13) Existing law establishes the Single Gender Academies Pilot Program Act of 1996 to increase the diversity of California's public educational offerings by making single gender academies available to those pupils of each gender who will benefit from single gender education because of their unique educational needs.~~

~~This bill would repeal those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Article 9 (commencing with Section 1780) of
- 2 Chapter 6 of Part 2 of Division 1 of Title 1 of the Education Code
- 3 is repealed.
- 4 SEC. 2. Article 10 (commencing with Section 1790) of Chapter
- 5 6 of Part 2 of Division 1 of Title 1 of the Education Code is
- 6 repealed.
- 7 SEC. 3. Article 17 (commencing with Section 1940) of Chapter
- 8 6 of Part 2 of Division 1 of Title 1 of the Education Code is
- 9 repealed.

1 ~~SEC. 3.~~

2 ~~SEC. 4.~~ Article 4 (commencing with Section 8080) of Chapter
3 1 of Part 6 of Division 1 of Title 1 of the Education Code is
4 repealed.

5 ~~SEC. 4.~~

6 ~~SEC. 5.~~ Chapter 5.1 (commencing with Section 8820) of Part
7 6 of Division 1 of Title 1 of the Education Code is repealed.

8 ~~SEC. 6.~~ Chapter 9 (commencing with Section 8980) of Part 6
9 of Division 1 of Title 1 of the Education Code is repealed.

10 ~~SEC. 5.~~

11 ~~SEC. 7.~~ Part 10.7 (commencing with Section 17910) of Division
12 1 of Title 1 of the Education Code is repealed.

13 ~~SEC. 6.~~

14 ~~SEC. 8.~~ Article 3.6 (commencing with Section 32228) of
15 Chapter 2 of Part 19 of Division 1 of Title 1 of the Education Code
16 is repealed.

17 ~~SEC. 9.~~ Section 35186 of the Education Code is amended to
18 read:

19 35186. (a) A school district shall use the uniform complaint
20 process it has adopted as required by Chapter 5.1 (commencing
21 with Section 4600) of Division 1 of Title 5 of the California Code
22 of Regulations, with modifications, as necessary, to help identify
23 and resolve any deficiencies related to instructional materials,
24 emergency or urgent facilities conditions that pose a threat to the
25 health and safety of pupils or staff, *and* teacher vacancy or
26 misassignment, ~~and intensive instruction and services provided~~
27 ~~pursuant to Section 37254 to pupils who have not passed one or~~
28 ~~both parts of the high school exit examination after the completion~~
29 ~~of grade 12.~~ *misassignment.*

30 (1) A complaint may be filed anonymously. A complainant who
31 identifies himself or herself is entitled to a response if he or she
32 indicates that a response is requested. A complaint form shall
33 include a space to mark to indicate whether a response is requested.
34 If Section 48985 is otherwise applicable, the response, if requested,
35 and report shall be written in English and the primary language in
36 which the complaint was filed. All complaints and responses are
37 public records.

38 (2) The complaint form shall specify the location for filing a
39 complaint. A complainant may add as much text to explain the
40 complaint as he or she wishes.

1 (3) ~~Except as provided pursuant to paragraph (4), a~~ A complaint
2 shall be filed with the principal of the school or his or her designee.
3 A complaint about problems beyond the authority of the school
4 principal shall be forwarded in a timely manner but not to exceed
5 10 working days to the appropriate school district official for
6 resolution.

7 ~~(4) A complaint regarding any deficiencies related to intensive~~
8 ~~instruction and services provided pursuant to Section 37254 to~~
9 ~~pupils who have not passed one or both parts of the high school~~
10 ~~exit examination after the completion of grade 12 shall be~~
11 ~~submitted to the district official designated by the district~~
12 ~~superintendent. A complaint may be filed at the school district~~
13 ~~office, or it may be filed at the school site and shall be immediately~~
14 ~~forwarded to the designee of the district superintendent.~~

15 (b) The principal or the designee of the district superintendent,
16 as applicable, shall make all reasonable efforts to investigate any
17 problem within his or her authority. The principal or designee of
18 the district superintendent shall remedy a valid complaint within
19 a reasonable time period but not to exceed 30 working days from
20 the date the complaint was received. The principal or designee of
21 the district superintendent shall report to the complainant the
22 resolution of the complaint within 45 working days of the initial
23 filing. If the principal makes this report, the principal shall also
24 report the same information in the same timeframe to the designee
25 of the district superintendent.

26 (c) A complainant not satisfied with the resolution of the
27 principal or the designee of the district superintendent has the right
28 to describe the complaint to the governing board of the school
29 district at a regularly scheduled hearing of the governing ~~board~~.
30 *board of the school district*. As to complaints involving a condition
31 of a facility that poses an emergency or urgent threat, as defined
32 in paragraph (1) of subdivision (c) of Section 17592.72, a
33 complainant who is not satisfied with the resolution proffered by
34 the principal or the designee of the district superintendent has the
35 right to file an appeal to the Superintendent, who shall provide a
36 written report to the state board describing the basis for the
37 complaint and, as appropriate, a proposed remedy for the issue
38 described in the complaint.

39 (d) A school district shall report summarized data on the nature
40 and resolution of all complaints on a quarterly basis to the county

1 superintendent of schools and the governing board of the school
2 district. The summaries shall be publicly reported on a quarterly
3 basis at a regularly scheduled meeting of the governing board of
4 the school district. The report shall include the number of
5 complaints by general subject area with the number of resolved
6 and unresolved complaints. The complaints and written responses
7 shall be available as public records.

8 (e) The procedure required pursuant to this section is intended
9 to address all of the following:

10 (1) A complaint related to instructional materials as follows:

11 (A) A pupil, including an English learner, does not have
12 standards-aligned textbooks or instructional materials or
13 state-adopted or district-adopted textbooks or other required
14 instructional material to use in class.

15 (B) A pupil does not have access to instructional materials to
16 use at home or after school.

17 (C) Textbooks or instructional materials are in poor or unusable
18 condition, have missing pages, or are unreadable due to damage.

19 (2) A complaint related to teacher vacancy or misassignment
20 as follows:

21 (A) A semester begins and a teacher vacancy exists.

22 (B) A teacher who lacks credentials or training to teach English
23 learners is assigned to teach a class with more than ~~20 percent~~ 20
24 *percent of* English learner pupils in the class. This subparagraph
25 does not relieve a school district from complying with state or
26 federal law regarding teachers of English learners.

27 (C) A teacher is assigned to teach a class for which the teacher
28 lacks subject matter competency.

29 (3) A complaint related to the condition of facilities that pose
30 an emergency or urgent threat to the health or safety of pupils or
31 staff as defined in paragraph (1) of subdivision (c) of Section
32 17592.72 and any other emergency conditions the school district
33 determines appropriate and the requirements established pursuant
34 to subdivision (a) of Section 35292.5.

35 ~~(4) A complaint related to the provision of intensive instruction~~
36 ~~and services pursuant to paragraphs (4) and (5) of subdivision (d)~~
37 ~~of Section 37254.~~

38 (f) In order to identify appropriate subjects of complaint, a notice
39 shall be posted in each classroom in each school in the school

1 district notifying parents, guardians, pupils, and teachers of the
2 following:

3 (1) There should be sufficient textbooks and instructional
4 materials. For there to be sufficient textbooks and instructional
5 materials each pupil, including English learners, must have a
6 textbook or instructional materials, or both, to use in class and to
7 take home.

8 (2) School facilities must be clean, safe, and maintained in good
9 repair.

10 (3) There should be no teacher vacancies or misassignments as
11 defined in paragraphs (2) and (3) of subdivision (h).

12 ~~(4) Pupils who have not passed the high school exit examination~~
13 ~~by the end of grade 12 are entitled to receive intensive instruction~~
14 ~~and services for up to two consecutive academic years after~~
15 ~~completion of grade 12 or until the pupil has passed both parts of~~
16 ~~the high school exit examination, whichever comes first, pursuant~~
17 ~~to paragraphs (4) and (5) of subdivision (d) of Section 37254. The~~
18 ~~information in this paragraph, which is to be included in the notice~~
19 ~~required pursuant to this subdivision, shall only be included in~~
20 ~~notices posted in classrooms in schools with grades 10 to 12,~~
21 ~~inclusive.~~

22 ~~(5)~~

23 (4) The location at which to obtain a form to file a complaint
24 in case of a shortage. Posting a notice downloadable from the
25 Internet Web site of the department shall satisfy this requirement.

26 (g) A local educational agency shall establish local policies and
27 procedures, post notices, and implement this section on or before
28 January 1, 2005. *section.*

29 (h) For purposes of this section, the following definitions apply:

30 (1) “Good repair” has the same meaning as specified in
31 subdivision (d) of Section 17002.

32 (2) “Misassignment” means the placement of a certificated
33 employee in a teaching or services position for which the employee
34 does not hold a legally recognized certificate or credential or the
35 placement of a certificated employee in a teaching or services
36 position that the employee is not otherwise authorized by statute
37 to hold.

38 (3) “Teacher vacancy” means a position to which a single
39 designated certificated employee has not been assigned at the
40 beginning of the year for an entire year or, if the position is for a

1 one-semester course, a position to which a single designated
2 certificated employee has not been assigned at the beginning of a
3 semester for an entire semester.

4 ~~SEC. 7.~~

5 *SEC. 10.* Article 10.4 (commencing with Section 35294.10)
6 of Chapter 2 of Part 21 of Division 3 of Title 2 of the Education
7 Code is repealed.

8 *SEC. 11.* Article 4 (commencing with Section 37252) of Chapter
9 2 of Part 22 of Division 3 of Title 2 of the Education Code is
10 repealed.

11 *SEC. 12.* Section 37611.5 of the Education Code is repealed.

12 ~~37611.5. Notwithstanding Section 37611, a school district that~~
13 ~~establishes and operates a continuous school program in one or~~
14 ~~more schools pursuant to this chapter for the purposes of~~
15 ~~implementing the Class Size Reduction Program set forth in~~
16 ~~Chapter 6.10 (commencing with Section 52120) of Part 28 for the~~
17 ~~1996-97 and 1997-98 school years shall not be subject to the~~
18 ~~publication of notice requirements set forth in Section 37611 for~~
19 ~~those school years.~~

20 *SEC. 13.* Section 39820 of the Education Code is amended to
21 read:

22 39820. (a) ~~Notwithstanding any other provision of law, the~~
23 ~~governing board of any a school district may provide, beginning~~
24 ~~in the 1975-76 fiscal year, provide for the transportation to and~~
25 ~~from public school of pupils who have attained the age of three~~
26 ~~years and nine months and are enrolled in classes established~~
27 ~~pursuant to Chapter 4.45 (commencing with Section 56440) of~~
28 ~~Part 30 of Division 4 whenever in the judgment of the board,~~
29 ~~governing board of a school district, transportation is advisable~~
30 ~~and good reasons exist therefor. exist. A governing board of a~~
31 ~~school district may allow for the transportation of parents of pupils~~
32 ~~enrolled in these classes for the purpose of accompanying their~~
33 ~~children to and from the attendance center offering the early~~
34 ~~primary classes.~~

35 ~~(b) School districts shall receive state reimbursements for the~~
36 ~~transportation of pupils described in subdivision (a) pursuant to~~
37 ~~Article 10 (commencing with Section 41850) of Chapter 5 of Part~~
38 ~~24.~~

39 *SEC. 14.* Section 41301.5 of the Education Code is repealed.

1 ~~41301.5. The amount transferred to Section A of the State~~
2 ~~School Fund by Section 14007 shall be expended pursuant to~~
3 ~~Sections 59030.5, 59124.5, and 59223.~~

4 *SEC. 15. Section 41422 of the Education Code is amended to*
5 *read:*

6 41422. ~~A district~~ (a) A school district, county office of
7 education, or charter school that is prevented from maintaining
8 its schools during a fiscal year for at least 175 days or is required
9 to operate sessions of shorter length than otherwise prescribed by
10 law because of fire, flood, earthquake, or epidemic, or because of
11 any order of any military officer of the United States or of the state
12 to meet an emergency created by war, or of any civil officer of the
13 United States, of the state, or of any county, city and county, or
14 city authorized to issue that order to meet an emergency created
15 by war, or because of other extraordinary conditions, or because
16 of inability to secure or hold a teacher, or because of the illness of
17 the teacher, which fact shall be shown to the satisfaction of the
18 ~~Superintendent of Public Instruction~~ by the affidavits of the
19 members of the governing board of the school-district district, the
20 governing board of the county office of education, or the governing
21 board of the charter school and of the county superintendent of
22 schools, shall receive the same apportionment from the State
23 School Fund as it would have received had it not been so prevented
24 from maintaining school for at least 175 full-length days.

25 (b) This section shall also apply to school districts which, county
26 offices of education, or charter schools that, in the absence of one
27 or more of the conditions prescribed by this section, would have
28 qualified for funds under pursuant to Sections 46200 or 46201. to
29 46208, inclusive, or Section 47612.5, as applicable.

30 ~~SEC. 8.~~

31 *SEC. 16.* Chapter 12 (commencing with Section 43001.5) of
32 Part 24 of Division 3 of Title 2 of the Education Code is repealed.

33 *SEC. 17.* Article 7 (commencing with Section 44570) of Chapter
34 3 of Part 25 of Division 3 of Title 2 of the Education Code is
35 repealed.

36 *SEC. 18.* Chapter 3.25 (commencing with Section 44695) of
37 Part 25 of Division 3 of Title 2 of the Education Code is repealed.

38 ~~SEC. 9.~~

39 *SEC. 19.* Chapter 3.34 (commencing with Section 44730) of
40 Part 25 of Division 3 of Title 2 of the Education Code is repealed.

1 *SEC. 20. Chapter 3.8 (commencing with Section 44740) of*
2 *Part 25 of Division 3 of Title 2 of the Education Code is repealed.*

3 *SEC. 21. Chapter 3.5 (commencing with Section 44760) of*
4 *Part 25 of Division 3 of Title 2 of the Education Code is repealed.*

5 *SEC. 22. Section 45023.1 of the Education Code is repealed.*

6 ~~45023.1. (a) Commencing with the 2000–01 fiscal year, the~~
7 ~~county superintendent of schools or the county board of education~~
8 ~~may increase, for teachers meeting the requirements prescribed~~
9 ~~by this section, the salary on its adopted certificated employee~~
10 ~~salary schedule as provided in subdivision (b). For purposes of~~
11 ~~this section, a teacher for whom the county superintendent of~~
12 ~~schools or county board of education may increase salaries shall~~
13 ~~meet all of the following criteria:~~

14 ~~(1) Hold a valid California teaching credential, not including~~
15 ~~an emergency permit, intern certificate or credential, or waiver.~~

16 ~~(2) Possess a baccalaureate or higher degree.~~

17 ~~(3) Receive a salary paid through the general fund of the county~~
18 ~~office.~~

19 ~~(b) The county superintendent of schools or county board of~~
20 ~~education that increases its salaries pursuant to subdivision (a)~~
21 ~~shall perform the following computations:~~

22 ~~(1) The county superintendent of schools or county board of~~
23 ~~education shall designate as the lowest salary on the salary schedule~~
24 ~~for a certificated employee meeting the criteria in subdivision (a)~~
25 ~~an amount that is at least an annual salary of thirty-four thousand~~
26 ~~dollars (\$34,000) in the 2000–01 fiscal year.~~

27 ~~(2) The county superintendent of schools or county board of~~
28 ~~education shall increase to the annual salary amount in paragraph~~
29 ~~(1) the salary of any certificated employee meeting the criteria in~~
30 ~~subdivision (a) whose salary on the salary schedule for the~~
31 ~~1999–2000 fiscal year was less than the amount computed in~~
32 ~~paragraph (1) and, notwithstanding Section 45028, shall incorporate~~
33 ~~that increase into the salary schedule commencing with the~~
34 ~~2000–01 fiscal year.~~

35 ~~(c) Each county office of education that increases its beginning~~
36 ~~teacher annual minimum salary to thirty-four thousand dollars~~
37 ~~(\$34,000) pursuant to subdivision (b) shall elect, except as provided~~
38 ~~in subdivision (j), to receive reimbursement for the cost of the~~
39 ~~increase pursuant to only one of the following two options:~~

40 ~~(1) Option One:~~

1 (A) In fiscal year 2000–01, a county superintendent of schools
2 or county office of education that increases salaries pursuant to
3 paragraph (2) of subdivision (b) and selects reimbursement Option
4 One shall receive an amount equal to six dollars (\$6) times the
5 county office's second principal apportionment average daily
6 attendance for the 1999–2000 fiscal year, excluding attendance in
7 adult education programs and charter schools participating in the
8 charter school block grant pursuant to Article 2 (commencing with
9 Section 47633) of Chapter 6 of Part 26.8 of Division 4.

10 (B) Divide the amount received from the state pursuant to
11 subparagraph (A) for the 2000–01 fiscal year by the county office
12 of education's second principal apportionment average daily
13 attendance for the 1999–2000 fiscal year, excluding attendance in
14 adult education programs and charter schools participating in the
15 charter school block grant pursuant to Article 2 (commencing with
16 Section 47633) of Chapter 6 of Part 26.8 of Division 4.

17 (C) For the 2001–02 fiscal year and each fiscal year thereafter,
18 for each county office of education that increases its salaries
19 pursuant to subdivision (a), the Superintendent shall add the sum
20 of clauses (i) and (ii) to the county office of education revenue
21 limit computed pursuant to Section 2550:

22 (i) Annually increase the funding rate per unit of average daily
23 attendance specified in subparagraph (B) by the percentage increase
24 identified pursuant to Section 2557 and multiply the resulting
25 product by the county office of education's second principal
26 apportionment average daily attendance for the current fiscal year
27 excluding attendance in regional occupational centers/programs,
28 adult education programs, and charter schools participating in the
29 charter school block grant pursuant to Article 2 (commencing with
30 Section 47633) of Chapter 6 of Part 26.8 of Division 4.

31 (ii) Annually increase the funding rate per unit of average daily
32 attendance specified in subparagraph (B) by the percentage increase
33 identified pursuant to Section 2557 and multiply the resulting
34 product by the county office of education's second principal
35 apportionment average daily attendance for the current fiscal year
36 in regional occupational centers/programs excluding attendance
37 in charter schools participating in the charter school block grant
38 pursuant to Article 2 (commencing with Section 47633) of Chapter
39 6 of Part 26.8 of Division 4.

~~(D) The county superintendent of schools or county office of education shall utilize these incentive funds not only to meet the new beginning teacher annual minimum salary of thirty-four thousand dollars (\$34,000), but may also use the funds to generally enhance teachers' salaries in order to achieve the goals of retention of qualified, competent, and experienced teachers and the attainment of a reasonable salary commensurate with a teacher's experience, education, and responsibilities.~~

~~(2) Option Two: A county superintendent of schools or county office of education may submit a request to the Superintendent, on a form supplied by the Superintendent, for state funding computed as follows:~~

~~(A) Total the salaries of all certificated employees receiving increased salaries up to a maximum of thirty-four thousand dollars (\$34,000) per person pursuant to subdivision (b) for the 2000-01 fiscal year.~~

~~(B) Total all salaries, based on the salary schedule for the 2000-01 fiscal year before the increase made pursuant to subdivision (b), of all certificated employees receiving increased salaries pursuant to subdivision (b):~~

~~(C) Subtract the amount in subparagraph (B) from the amount in subparagraph (A):~~

~~(D) Multiply the amount in subparagraph (C) by the district's statutory benefit rates.~~

~~(E) For the 2000-01 fiscal year, a county superintendent of schools or county office of education that increases salaries pursuant to paragraph (2) of subdivision (b) and selects reimbursement Option Two shall receive the sum of subparagraphs (C) and (D):~~

~~(F) Divide the sum of the amounts received pursuant to subparagraphs (C) and (D) for the 2000-01 fiscal year by the county office of education average daily attendance for the second principal apportionment for the 2000-01 fiscal year, excluding attendance in adult education programs and charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4.~~

~~(G) For the 2001-02 fiscal year and each fiscal year thereafter, for each county office of education that increases its salaries pursuant to subdivision (a), the Superintendent shall add the sum~~

1 of clauses (i) and (ii) to the county office of education revenue
2 limit computed pursuant to Section 2550:

3 (i) ~~Annually increase the funding rate per unit of average daily~~
4 ~~attendance calculated pursuant to subparagraph (F) by the~~
5 ~~percentage increase identified pursuant to Section 2557 and~~
6 ~~multiply the resulting product by the county office of education's~~
7 ~~second principal apportionment average daily attendance for the~~
8 ~~current fiscal year excluding attendance in regional occupational~~
9 ~~centers/programs, adult education programs, and charter schools~~
10 ~~participating in the charter school block grant pursuant to Article~~
11 ~~2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of~~
12 ~~Division 4.~~

13 (ii) ~~Annually increase the funding rate per unit of average daily~~
14 ~~attendance calculated pursuant to subparagraph (F) by the~~
15 ~~percentage increase identified pursuant to Section 2557 and~~
16 ~~multiply the resulting product by the county office of education's~~
17 ~~second principal apportionment average daily attendance for the~~
18 ~~current fiscal year in regional occupational centers/programs~~
19 ~~excluding attendance in charter schools participating in the charter~~
20 ~~school block grant pursuant to Article 2 (commencing with Section~~
21 ~~47633) of Chapter 6 of Part 26.8 of Division 4.~~

22 (3) ~~For purposes of the calculation required by clause (ii) of~~
23 ~~subparagraph (C) of paragraph (1) and clause (ii) of subparagraph~~
24 ~~(G) of paragraph (2), in the 2008-09, 2009-10, 2010-11, 2011-12,~~
25 ~~2012-13, 2013-14, and 2014-15 fiscal years, a county office of~~
26 ~~education's second principal apportionment average daily~~
27 ~~attendance for the current fiscal year shall be the second principal~~
28 ~~apportionment average daily attendance for the 2007-08 fiscal~~
29 ~~year.~~

30 (d) ~~State funds received pursuant to this section and not used~~
31 ~~pursuant to the conditions of this section shall be returned to the~~
32 ~~state.~~

33 (e) ~~If the funds requested by the county superintendents of~~
34 ~~schools and the county offices of education for the 2000-01 fiscal~~
35 ~~year exceed the state appropriation for this section, the~~
36 ~~Superintendent shall reduce all requests by the application of a~~
37 ~~single, common percentage factor for apportionment purposes, so~~
38 ~~as not to exceed the amount appropriated for this purpose.~~

39 (f) ~~A county office of education shall receive reimbursement~~
40 ~~pursuant to subdivision (c) only. However, this section does not~~

1 prohibit a school district and its employees from negotiating salary
2 schedules.

3 ~~(g) The adjustments to county office of education revenue limits~~
4 ~~prescribed in subparagraph (C) of paragraph (1) of subdivision (c)~~
5 ~~and subparagraph (G) of paragraph (2) of subdivision (c) shall~~
6 ~~continue so long as the increase in the salary schedule made~~
7 ~~pursuant to paragraph (2) of subdivision (b) or subdivision (i) is~~
8 ~~maintained.~~

9 ~~(h) The Superintendent shall issue appropriate forms to county~~
10 ~~offices of education no later than September 1, 2000. County~~
11 ~~superintendents of schools or county offices of education shall~~
12 ~~notify the Superintendent no later than September 30, 2001,~~
13 ~~regarding which option they wish to exercise for the 2000-01 fiscal~~
14 ~~year. County superintendents of schools or county offices of~~
15 ~~education shall file their claim form for state funds with the~~
16 ~~Superintendent no later than September 30, 2001.~~

17 ~~(i) Adjustments made to county office of education revenue~~
18 ~~limits pursuant to subparagraph (C) of paragraph (1) of subdivision~~
19 ~~(c) and subparagraph (G) of paragraph (2) of subdivision (c) shall~~
20 ~~not be considered part of the base revenue limit for the purpose of~~
21 ~~computing equalization adjustments or determining other~~
22 ~~wealth-related differences in school funding.~~

23 ~~(j) Notwithstanding subdivision (c), a county office of education~~
24 ~~that already has as the annual minimum salary for beginning~~
25 ~~teachers who meet the criteria in subdivision (a) an amount equal~~
26 ~~to or greater than thirty-four thousand dollars (\$34,000) shall be~~
27 ~~eligible to receive reimbursement pursuant to Option One.~~

28 ~~(k) This section shall become operative on July 1, 2010.~~

29 *SEC. 23. Section 45023.4 of the Education Code is repealed.*

30 ~~45023.4. (a) This section shall be known, and may be cited,~~
31 ~~as the Jack O'Connell Beginning-Teacher Salary Incentive~~
32 ~~Program. Commencing in the 1999-2000 fiscal year the county~~
33 ~~superintendent of schools or the county board of education may~~
34 ~~increase, for teachers who meet the requirements of this~~
35 ~~subdivision, the salary on its adopted certificated employee salary~~
36 ~~schedule as provided in subdivision (b). For purposes of this~~
37 ~~section, a teacher for whom the county superintendent of schools~~
38 ~~or county board of education may increase salaries shall meet all~~
39 ~~of the following criteria:~~

1 ~~(1) Hold a valid California teaching credential, not including~~
2 ~~an emergency permit, intern permit, or waiver.~~

3 ~~(2) Possess a baccalaureate or higher degree.~~

4 ~~(3) Receive a salary paid from the general fund of the district~~
5 ~~or county office.~~

6 ~~(b) The county superintendent of schools or county board of~~
7 ~~education that elects to increase teachers' salaries as authorized~~
8 ~~pursuant to subdivision (a) shall perform the following~~
9 ~~computations:~~

10 ~~(1) The county superintendent of schools or county board of~~
11 ~~education shall designate as the lowest salary on the salary schedule~~
12 ~~for a certificated employee meeting or exceeding the criteria in~~
13 ~~subdivision (a) an amount equal to a minimum annual salary of~~
14 ~~thirty-two thousand dollars (\$32,000). If this salary change results~~
15 ~~in costs to the county office of education that are equal to or greater~~
16 ~~than the incentive received pursuant to subdivision (c), the~~
17 ~~minimum salary shall be thirty-two thousand dollars (\$32,000). If~~
18 ~~this salary change results in costs to the county offices of education~~
19 ~~that are less than the incentive received, the remainder shall be~~
20 ~~used to increase the beginning salary by an amount above~~
21 ~~thirty-two thousand dollars (\$32,000) which fully applies the~~
22 ~~incentive received.~~

23 ~~(2) The county superintendent of schools or county board of~~
24 ~~education shall increase to the annual salary amount in paragraph~~
25 ~~(1) the salary of a certificated employee meeting the criteria in~~
26 ~~subdivision (a) whose salary on the salary schedule is less than~~
27 ~~the amount computed in paragraph (1) and, notwithstanding Section~~
28 ~~45028, shall incorporate that increase into the salary schedule.~~

29 ~~(3) The newly adopted salary schedule shall contain only one~~
30 ~~cell that meets the amount set forth in paragraph (1), which most~~
31 ~~often is the first-year step of a salary schedule column for~~
32 ~~certificated personnel who meet the criteria set forth in subdivision~~
33 ~~(a). All other salary schedule cells shall exceed the level set forth~~
34 ~~in paragraph (1) for personnel that meet the criteria in subdivision~~
35 ~~(a).~~

36 ~~(e) In the 1999–2000 fiscal year, the Superintendent shall divide~~
37 ~~the amount appropriated for the purposes of this section by the~~
38 ~~1998–99 second principal apportionment average daily attendance~~
39 ~~for all county offices of education in the state. Each county office~~
40 ~~of education that certifies to the Superintendent that it is in full~~

1 compliance with this section shall receive following that
2 certification an amount equal to the results of the calculation
3 multiplied by the participating county office's 1998-99 second
4 principal apportionment average daily attendance.

5 (d) For the 2000-01 fiscal year and each fiscal year thereafter,
6 for each county office of education that meets the requirements of
7 subdivision (b), the Superintendent shall add the sum of paragraphs
8 (1) and (2) to the county office of education revenue limit
9 computed pursuant to Section 2550.

10 (1) Annually increase the statewide average funding rate per
11 unit of average daily attendance calculated pursuant to subdivision
12 (e) by the percentage increase identified pursuant to Section 2557
13 and multiply the resulting product by the county office of
14 education's second period average daily attendance for the prior
15 fiscal year excluding attendance in regional occupational centers
16 or programs, adult education programs, and charter schools
17 participating in the charter school block grant pursuant to Article
18 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of
19 Division 4.

20 (2) Annually increase the statewide average funding rate per
21 unit of average daily attendance calculated pursuant to subdivision
22 (e) by the percentage increase identified pursuant to Section 2557
23 and multiply the resulting product by the county office of
24 education's second period average daily attendance for the prior
25 fiscal year in regional occupational centers or programs excluding
26 attendance in charter schools participating in the charter school
27 block grant pursuant to Article 2 (commencing with Section 47633)
28 of Chapter 6 of Part 26.8 of Division 4.

29 (3) For purposes of the calculation required by paragraph (2),
30 in the 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14,
31 and 2014-15 fiscal years, the second period average daily
32 attendance for the prior fiscal year shall be the second period
33 average daily attendance for the 2007-08 fiscal year.

34 (e) The adjustment to the county office of education revenue
35 limit prescribed in subdivision (d) shall continue so long as the
36 increase in the salary schedule made pursuant to paragraph (2) of
37 subdivision (b) is maintained.

38 (f) The adjustment made to county office of education revenue
39 limits pursuant to subdivision (d) shall not be considered part of
40 the base revenue limit for purposes of computing equalization

1 ~~adjustments or determining other differences in school funding~~
2 ~~that are based on the amount of funding received by a school~~
3 ~~district or county office of education.~~

4 ~~(g) This section shall become operative on July 1, 2010.~~

5 SEC. 24. *Section 46392 of the Education Code is amended to*
6 *read:*

7 46392. (a) ~~Whenever~~ *If* the average daily attendance of ~~any a~~
8 school district, county office of education, or ~~regional occupational~~
9 ~~center or program~~ *charter school* during ~~any a~~ fiscal year has been
10 materially decreased during ~~any a~~ fiscal year because of any of
11 the following, the fact shall be established to the satisfaction of
12 the Superintendent ~~of Public Instruction~~ by affidavits of the
13 members of the governing board of the school ~~district or~~ *district,*
14 county office of education, *or charter school* and the county
15 superintendent of schools:

16 (1) Fire.

17 (2) Flood.

18 (3) Impassable roads.

19 (4) ~~An epidemic.~~ *Epidemic.*

20 (5) ~~An earthquake.~~ *Earthquake.*

21 (6) The imminence of a major safety hazard as determined by
22 the local law enforcement agency.

23 (7) A strike involving transportation services to pupils provided
24 by a nonschool entity.

25 (8) An order provided for in Section 41422.

26 (b) In the event a state of emergency is declared by the Governor
27 in a county, ~~any a~~ decrease in average daily attendance in the
28 county below the approximate total average daily attendance that
29 would have been credited to a school district, county office of
30 education, or ~~regional occupational center or program~~ *charter*
31 *school* had the state of emergency not occurred shall be deemed
32 material. The ~~superintendent~~ *Superintendent* shall determine the
33 length of the period during which average daily attendance has
34 been reduced by the state of emergency. This period ~~which that~~ is
35 determined by the ~~superintendent~~ *Superintendent* shall not extend
36 into the next fiscal year following the declaration of the state of
37 emergency by the Governor, except upon a showing by a school
38 district, county office of education, or ~~regional occupational center~~
39 ~~or program,~~ *charter school,* to the satisfaction of the ~~superintendent,~~
40 *Superintendent,* that extending the period into the next fiscal year

1 is essential to alleviate continued reductions in average daily
2 attendance attributable to the state of emergency.

3 (c) The average daily attendance of the district, county office
4 of education, or ~~regional occupational center or program charter~~
5 ~~school~~ for the fiscal year shall be estimated by the ~~superintendent~~
6 *Superintendent* in a manner that credits to the school district,
7 county office of education, or ~~regional occupational center or~~
8 ~~program charter school~~ for determining the apportionments to be
9 made to the ~~school~~ district, county office of education, or ~~regional~~
10 ~~occupational center or program charter school~~ from the State
11 School Fund approximately the total average daily attendance that
12 would have been credited to the school district, county office of
13 education, or ~~regional occupational center or program charter~~
14 ~~school~~ had the emergency not occurred or had the order not been
15 issued.

16 (d) This section applies to any average daily attendance that
17 occurs during any part of a school year.

18 *SEC. 25. Section 47634.4 of the Education Code is amended*
19 *to read:*

20 47634.4. (a) A charter school that elects to receive its funding
21 directly, pursuant to Section 47651, may apply individually for
22 federal and state categorical programs, not excluded in this section,
23 but only to the extent it is eligible for funding and meets the
24 provisions of the program. For purposes of determining eligibility
25 for, and allocation of, state or federal categorical aid, a charter
26 school that applies individually shall be deemed to be a school
27 district, except as otherwise provided in this chapter.

28 (b) A charter school that does not elect to receive its funding
29 directly, pursuant to Section 47651, ~~may, in cooperation with its~~
30 ~~chartering authority, apply~~ *may apply, in cooperation with its*
31 *chartering authority*, for federal and state categorical programs
32 not specified in this section, but only to the extent it is eligible for
33 funding and meets the provisions of the program.

34 (c) Notwithstanding any other ~~provision of law, for the 2006-07~~
35 ~~fiscal year and each fiscal year thereafter~~, a charter school ~~may~~
36 *shall* not apply directly for categorical programs for which services
37 are exclusively or almost exclusively provided by a county office
38 of education.

(d) Consistent with subdivision (c), a charter school ~~may~~ *shall* not receive direct funding for any of the following county-administered categorical programs:

(1) American Indian Education Centers.
(2) ~~The California Association of Student Councils.~~
(3) ~~California Technology Assistance Project established pursuant to Article 15 (commencing with Section 51870) of Chapter 5 of Part 28.~~

(4) ~~The Center for Civic Education.~~
(5)
(2) County Office Fiscal Crisis and Management Assistance Team.

(6)
(3) The K–12 High Speed Network.
(e) A charter school may apply separately for district-level or school-level grants associated with any of the categorical programs specified in subdivision (d).

(f) ~~Notwithstanding any other provision of law, for the 2006–07 fiscal year and each fiscal year thereafter, in addition to the programs listed in subdivision (d), a charter school may not apply for any of the following categorical programs:~~

(1) ~~Agricultural Career Technical Education Incentive Program, as set forth in Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28.~~

(2) ~~Bilingual Teacher Training Assistance Program, as set forth in Article 4 (commencing with Section 52180) of Chapter 7 of Part 28.~~

(3) ~~California Peer Assistance and Review Program for Teachers, as set forth in Article 4.5 (commencing with Section 44500) of Chapter 3 of Part 25.~~

(4) ~~College preparation programs, as set forth in Chapter 12 (commencing with Section 11020) of Part 7, Chapter 8.3 (commencing with Section 52240) of Part 28, and Chapter 8 (commencing with Section 60830) of Part 33.~~

(5) ~~Foster youth programs pursuant to Chapter 11.3 (commencing with Section 42920) of Part 24.~~

(6) ~~Gifted and talented pupil programs pursuant to Chapter 8 (commencing with Section 52200) of Part 28.~~

(7) ~~Home-to-school transportation programs, as set forth in Article 2 (commencing with Section 39820) of Chapter 1 of Part~~

1 23.5 and Article 10 (commencing with Section 41850) of Chapter
2 5 of Part 24.
3 (8) ~~International Baccalaureate Diploma Program, as set forth~~
4 ~~in Chapter 12.5 (commencing with Section 52920) of Part 28.~~
5 (9) ~~Mathematics and Reading Professional Development~~
6 ~~Program, as set forth in Article 3 (commencing with Section 99230)~~
7 ~~of Chapter 5 of Part 65.~~
8 (10) ~~Principal Training Program, as set forth in Article 4.6~~
9 ~~(commencing with Section 44510) of Chapter 3 of Part 25.~~
10 (11) ~~Professional Development Block Grant, as set forth in~~
11 ~~Article 5 (commencing with Section 41530) of Chapter 3.2 of Part~~
12 ~~24.~~
13 (12) ~~Program to Reduce Class Size in Two Courses in Grade 9~~
14 ~~(formerly The Morgan-Hart Class Size Reduction Act of 1989);~~
15 ~~as set forth in Chapter 6.8 (commencing with Section 52080) of~~
16 ~~Part 28.~~
17 (13) ~~Pupil Retention Block Grant, as set forth in Article 2~~
18 ~~(commencing with Section 41505) of Chapter 3.2 of Part 24.~~
19 (14) ~~Reader services for blind teachers, as set forth in Article~~
20 ~~8.5 (commencing with Section 45370) of Chapter 5 of Part 25.~~
21 (15) ~~School and Library Improvement Block Grant, as set forth~~
22 ~~in Article 7 (commencing with Section 41570) of Chapter 3.2 of~~
23 ~~Part 24.~~
24 (16) ~~School Safety Consolidated Competitive Grant, as set forth~~
25 ~~in Article 3 (commencing with Section 41510) of Chapter 3.2 of~~
26 ~~Part 24.~~
27 (17) ~~School safety programs, as set forth in Article 3.6~~
28 ~~(commencing with Section 32228) and Article 3.8 (commencing~~
29 ~~with Section 32239.5) of Chapter 2 of Part 19.~~
30 (18) ~~Specialized secondary schools pursuant to Chapter 6~~
31 ~~(commencing with Section 58800) of Part 31.~~
32 (19) ~~State Instructional Materials Fund, as set forth in Article~~
33 ~~3 (commencing with Section 60240) of Chapter 2 of Part 33.~~
34 (20) ~~Targeted Instructional Improvement Block Grant, as set~~
35 ~~forth in Article 6 (commencing with Section 41540) of Chapter~~
36 ~~3.2 of Part 24.~~
37 (21) ~~Teacher dismissal apportionment, as set forth in Section~~
38 ~~44944.~~
39 (22) ~~The deferred maintenance program, as set forth in Article~~
40 ~~1 (commencing with Section 17565) of Chapter 5 of Part 10.5.~~

~~(23) The General Fund contribution to the State Instructional Materials Fund pursuant to Article 3 (commencing with Section 60240) of Chapter 2 of Part 33.~~

~~(24) Year-Round School Grant Program, as set forth in Article 3 (commencing with Section 42260) of Chapter 7 of Part 24.~~

~~SEC. 10.~~

~~SEC. 26.~~ Article 15 (commencing with Section 51870) of Chapter 5 of Part 28 of Division 4 of Title 2 of the Education Code is repealed.

~~SEC. 11.~~

~~SEC. 27.~~ Article 1 (commencing with Section 52130) of Chapter 7 of Part 28 of Division 4 of Title 2 of the Education Code is repealed.

~~SEC. 28.~~ *Section 52240 of the Education Code is amended to read:*

52240. (a) The Legislature hereby finds and declares all of the following:

(1) Advanced placement courses, for which school credit is awarded, provide rigorous academic coursework opportunities for high school pupils and help to improve the overall curriculum at schools where those courses are provided.

(2) The successful completion of advanced placement courses and the subsequent advanced placement examinations, which are conducted by the College Entrance Examination Board and for which college credit is awarded, provide a cost-effective means for high school pupils to obtain college-level coursework experience.

(3) To the extent that economically disadvantaged pupils are provided financial assistance to take advanced placement examinations, they will be provided with successful college-level experience and be encouraged to pursue postsecondary education opportunities.

~~(b) It is the intent of the Legislature, therefore, that certain state funding that currently is provided to school districts be made available to provide financial assistance to economically disadvantaged pupils for the payment of advanced placement examination fees. It is further the intent of the Legislature that a competitive grant program also be established for the purpose of awarding grants to economically disadvantaged pupils to cover the costs of advanced placement examination fees, thereby creating~~

~~a second source of financial assistance for economically disadvantaged pupils taking advanced placement examinations.~~

~~(e)~~

~~(b) The Superintendent shall annually update the information on advanced placement available on the department's Internet Web site to include current information on the various means available to school districts to offer or access advanced placement courses, including online courses. The Superintendent shall annually communicate with high schools that offer advanced placement courses in fewer than five subjects, and inform them of the various options for making advanced placement courses and other rigorous courses available to pupils who may benefit from them.~~

~~SEC. 29. Section 52241 of the Education Code is repealed.~~

~~52241. For purposes of this chapter, the following terms have the following meanings:~~

~~(a) "Advanced placement examinations" means the advanced placement examinations conducted by the College Entrance Examination Board, on the basis of which participating institutions of postsecondary education award postsecondary academic credit.~~

~~(b) "Economically disadvantaged pupil" means a high school pupil who is any one of the following:~~

~~(1) A pupil who comes from a low-income household. As used in this chapter, "low-income" refers to a household the taxable income of which for the preceding tax year did not exceed 200 percent of an amount equal to the poverty level determined by using the criteria of poverty established by the Census Bureau of the United States Department of Commerce. Documentation of a pupil's low-income status for the purposes of this subdivision shall be made in accordance with the following:~~

~~(A) In the case of a pupil who is 17 years of age or younger or who is a dependent within the meaning of the federal Internal Revenue Code, a signed financial need statement shall be submitted by the pupil's parent or legal guardian, along with verification of this financial need from another governmental entity or a photocopy of the most recent federal income tax return filed by the pupil's parent or legal guardian.~~

~~(B) In the case of a pupil who is 18 years of age or older or who is not a dependent within the meaning of the federal Internal Revenue Code, a signed financial need statement shall be submitted by the pupil, along with verification of this financial need from~~

1 another governmental entity or a photocopy of the most recent
2 federal income tax return filed by the pupil.

3 ~~(2) A pupil who is eligible for federal free or reduced meal~~
4 ~~programs.~~

5 ~~(3) A pupil who attends a school where at least 75 percent of~~
6 ~~all pupils enrolled are eligible for federal free or reduced meal~~
7 ~~programs.~~

8 *SEC. 30. Section 52242 of the Education Code is amended to*
9 *read:*

10 52242. Notwithstanding any other provision of law, a school
11 district receiving funds pursuant to Chapter 1 (commencing with
12 Section 54000) of Part 29 may expend any portion of those funds
13 ~~to may help~~ pay for all or part of the costs of one or more advanced
14 placement examinations that are charged to economically
15 disadvantaged pupils.

16 *SEC. 31. Section 52243 of the Education Code is repealed.*

17 52243. No later than January 1, 2004, the Superintendent of
18 Public Instruction shall submit a report to the Legislature describing
19 the effectiveness of the pilot grant program established pursuant
20 to Section 52244. The report shall include specific
21 recommendations to continue, discontinue, modify, or expand the
22 program. The report shall include information on at least all of the
23 following:

24 (a) ~~The total number of pupils participating in advanced~~
25 ~~placement examinations, separately identifying the number of~~
26 ~~economically disadvantaged pupils, and any increases in those~~
27 ~~numbers as a result of the funding made available pursuant to~~
28 ~~Section 52244.~~

29 (b) ~~The performance and pass rates on advanced placement~~
30 ~~examinations on the part of economically disadvantaged pupils,~~
31 ~~including any increase in those rates.~~

32 (c) ~~The number of pupils receiving financial assistance pursuant~~
33 ~~to Section 52244 for advanced placement examination fees.~~

34 (d) ~~The number of economically disadvantaged pupils in~~
35 ~~advance placement programs who enroll in higher education~~
36 ~~institutions, separated by institutional segment.~~

37 (e) ~~The number of economically disadvantaged pupils who have~~
38 ~~passed an advanced placement examination with a score of 3 or~~
39 ~~better in any subject and have taken an advanced placement course~~
40 ~~in that subject.~~

1 *SEC. 32. Article 2 (commencing with Section 52340) of Chapter*
2 *9 of Part 28 of Division 4 of Title 2 of the Education Code is*
3 *repealed.*

4 *SEC. 33. Article 3 (commencing with Section 52350) of Chapter*
5 *9 of Part 28 of Division 4 of Title 2 of the Education Code is*
6 *repealed.*

7 *SEC. 34. Article 5 (commencing with Section 52381) of Chapter*
8 *9 of Part 28 of Division 4 of Title 2 of the Education Code is*
9 *repealed.*

10 *SEC. 35. Article 9 (commencing with Section 52485) of Chapter*
11 *9 of Part 28 of Division 4 of Title 2 of the Education Code is*
12 *repealed.*

13 *SEC. 36. Section 52920 of the Education Code is amended to*
14 *read:*

15 52920. (a) The Legislature hereby finds and declares that the
16 International Baccalaureate Diploma Program is a comprehensive
17 and rigorous two-year curriculum, leading to examinations for
18 high school pupils. Its objectives are to provide pupils with a
19 balanced education, to facilitate geographic and cultural mobility,
20 and to promote international understanding through a shared
21 academic experience. Successful International Baccalaureate
22 Diploma candidates pursue a specific, intensive, balanced liberal
23 arts course of study and must pass rigorous examinations in seven
24 curricula areas. Successful International Baccalaureate Diploma
25 candidates are typically granted substantial advanced placement
26 credit at the finest colleges and universities in the nation. The
27 academic content and rigor of the instruction and examinations in
28 International Baccalaureate Diploma Programs is governed and
29 continuously monitored by the International Baccalaureate
30 Organization in Geneva, Switzerland.

31 (b) It is the intent of the Legislature ~~to establish a system of~~
32 ~~appropriate incentives~~ to encourage high schools to offer the
33 intensive, rigorous course of instruction leading to International
34 Baccalaureate Diplomas and to encourage pupils in these schools
35 to enroll in, attempt, and pass the rigorous International
36 Baccalaureate Diploma course of study and the rigorous
37 examinations leading to the International Baccalaureate Diploma.

38 (c) The Superintendent shall annually update information on
39 the International Baccalaureate Diploma Program available on the
40 department's Internet Web site. The Superintendent also shall

1 provide support to high schools that offer International
2 Baccalaureate (IB) courses to facilitate communication with the
3 Academic Senate for the California Community Colleges, the
4 Academic Senate of the California State University, and the
5 Academic Senate of the University of California about the rigor
6 of those courses and to ensure that college credit is given to pupils
7 who participate so that they benefit from successful efforts in IB
8 programs.

9 *SEC. 37. Section 52921 of the Education Code is repealed.*

10 ~~52921. School districts that operate an International~~
11 ~~Baccalaureate Diploma Program shall submit by October 1 of each~~
12 ~~school year the following information to the State Department of~~
13 ~~Education:~~

14 ~~(a) The number of pupils enrolled in courses leading to an~~
15 ~~International Baccalaureate Diploma in each school district.~~

16 ~~(b) The number of teachers in each school district attending~~
17 ~~training programs offered by the International Baccalaureate North~~
18 ~~America, Inc.~~

19 ~~(c) The number of teachers in each school district participating~~
20 ~~in pre-International Baccalaureate support programs for the~~
21 ~~International Baccalaureate Diploma Program.~~

22 ~~(d) The amount of money spent by the school district to provide~~
23 ~~or participate in the programs specified in subdivisions (a) to (c);~~
24 ~~inclusive.~~

25 *SEC. 38. Section 52922 of the Education Code is amended to*
26 *read:*

27 ~~52922. (a) From funds appropriated for the purpose of this~~
28 ~~chapter, the Superintendent shall annually allocate to each school~~
29 ~~district, on behalf of each high school or middle school within the~~
30 ~~district A school district that offers an International Baccalaureate~~
31 ~~Diploma Program, the amount of up to twenty-five thousand dollars~~
32 ~~(\$25,000) for each participating high school and middle school to~~
33 ~~cover the ongoing costs of professional development required by~~
34 ~~the program and to Program may help pay the test fees for low-~~
35 ~~and middle-income pupils in need of financial assistance, in~~
36 ~~accordance with criteria adopted by the Superintendent. assistance.~~

37 ~~(b) The amount provided in subdivision (a) shall be increased~~
38 ~~annually by a cost-of-living adjustment, based on the same~~
39 ~~percentage increase that is provided to the revenue limits of unified~~

1 ~~school districts with 2,501 or more units of average daily~~
2 ~~attendance.~~

3 ~~(e) The total amount allocated pursuant to subdivision (a) shall~~
4 ~~not exceed the total amount of the funds appropriated for those~~
5 ~~purposes in the annual Budget Act or another statute. If funds are~~
6 ~~insufficient to fully fund all grants authorized, annual grants shall~~
7 ~~first be allocated pursuant to subdivision (a) to those schools that~~
8 ~~were funded in the prior fiscal year and in the amount of the prior~~
9 ~~fiscal year grant with second priority given to high schools and~~
10 ~~middle schools that have the highest percentage of pupils from~~
11 ~~low-income families.~~

12 ~~SEC. 39. Chapter 17 (commencing with Section 53080) of Part~~
13 ~~28 of Division 4 of Title 2 of the Education Code is repealed.~~

14 ~~SEC. 12.~~

15 ~~SEC. 40. Chapter 3 (commencing with Section 54300) of Part~~
16 ~~29 of Division 4 of Title 2 of the Education Code is repealed.~~

17 ~~SEC. 13.~~

18 ~~SEC. 41. Chapter 3.1 (commencing with Section 58520) of~~
19 ~~Part 31 of Division 4 of Title 2 of the Education Code is repealed.~~

20 ~~SEC. 42. Section 60118 of the Education Code is repealed.~~

21 ~~60118. County offices of education may, at their option, be~~
22 ~~eligible to receive funds pursuant to this article. Allocations to~~
23 ~~county offices of education shall be based upon prior year average~~
24 ~~daily attendance in county operated educational programs and at~~
25 ~~the average amount allocated to school districts per unit of average~~
26 ~~daily attendance. For the purposes of this article, the terms~~
27 ~~“governing board of a school district” and “governing board” are~~
28 ~~deemed to include county boards of education.~~